



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Commissioner for Patents  
1450  
Virginia 22313-1450

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY L.	CONFIRMATION NO.
09/820,088	03/27/2001	Kirt A. Debique	MSI-79000	2532
22801	7590	03/30/2004	EX	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			LE, MIR	
			ART UNIT	NUMBER
			2177	

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/820,088

Applicant(s)

DEBIQUE ET AL.

Examiner

Miranda Le

Art Unit

2177

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

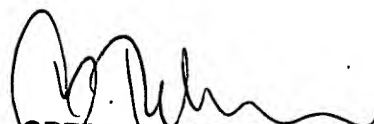
3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.


The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.Claim(s) objected to: None.Claim(s) rejected: 1-45.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
GRETTA ROBINSON  
PRIMARY EXAMINER

  
Miranda Le  
March 26, 2004

Continuation of 5. does NOT place the application in condition for allowance because: Applicants' arguments do not overcome the final rejection.

Applicant's arguments have been fully considered but they are not persuasive. The Examiner has thoroughly reviewed Applicants' arguments but firmly believes that the cited reference reasonably and properly meet the claimed limitation. Applicants are reminded that the Examiner is entitled to give the broadest reasonable interpretation to the language of the claimed as explained below. The Examiner is not limited to Applicants' definition which is not specifically set forth in the claims. In re Tanaka et al., 193 USPQ 139, (CCPA) 1977.

(a) With regards to claim 1 and corresponding dependent claims 2-5, 8, Katz teaches the step of maintaining meta data associated with another plurality of pieces of content, wherein each of the other plurality of pieces of content corresponds to one of the plurality of pieces of content and is another version of the data in the corresponding one of the plurality of pieces of content at col. 6, lines 22-36, col. 6, lines 47-59, wherein the metadata corresponds to the "Title, Artist, Category or Publisher Information" (col. 6, line 30-31). It should be understood that "a plurality of pieces of content (i.e. songs) stored on a plurality of pieces of media (i.e. CD)" corresponds to an audio track list (i.e. list of songs) stored on a plurality of CD-ROM (i.e. pieces of media) (col. 6, lines 53-54).

Katz discloses "another plurality of pieces of content" corresponding to another list of song (i.e. audio track) on another CD-ROM since there are pluralities of CD-ROMs in the disc-changer device. Note that "another version of the data in the corresponding one of the plurality of pieces of content" corresponds to a piece of content (i.e. a song) stored in a plurality of CDs with different Artists (i.e. a same song could be performed by two different Artists and could be stored in one CD or in another CD). These metadata are stored and maintained in Database 230, 240, 250 of Fig. 1. It should be understood that "another version" is interpreted as one disc (i.e. a set of tracks) is associated with its different metadata (i.e. information about the disk). Specifically, at col. 7, lines 28-36, Katz teaches when a disc tab 444 is selected, the user can automatically enter disc information including title, artist, category, publisher, jacket cover image, or track title retrieve from an Internet database (one version) (col. 7, lines 28-33), or else, the user can define his/her own categories to classify disc in his/her own collection by entering such information in a Category field of disc information area 432 (another version) (col. 7, lines 34-36). For example, disc A belongs to category C1 from the Internet database, however, disc A can also belong to category C2 in accordance to a user's definition.

Moreover, Katz teaches the step of altering the meta data associated with one of the other plurality of pieces of content in response to the meta data associated with the corresponding one of the plurality of pieces of content being altered at col. 7, lines 28-39. Katz discloses "altering metadata" corresponding to the metadata loaded from the Internet database or the metadata that a user manually enters into disc information area 432 (col. 9, lines 33-36). Note that Katz teaches "Absent Discs" in Fig. 4A, and the database 230 (CD information maintains the records stored in CD even if the disc is removed from the disc changer device (col. 8, lines 53-57, Abstract)).

Katz also teaches this limitation at col. 3, lines 28-40. It should be understood that "when the disc tab 444 is selected" (i.e. in response to), the disc information is being entered (altered) by a user to define his/her own categories to classify discs.

Therefore, it is evident that the claim language as presented is still read on by the Katz reference at the cited paragraph in the claim rejections.

(b) With regards to claim 9 and corresponding dependent claims 10-16, Katz teaches "receiving an identification of a change to be made to meta data corresponding to a particular piece of content on a particular piece of media" at col. 7, lines 23-44. Note that the step of receiving an identification of a change to be made to metadata corresponds to the step of clicking on save button 472 (Fig. 4B) after a user enters disc information (metadata). As seen in Fig. 4B, Katz discloses the modification data of a particular piece of content (i.e. Compusvr, modified 07/24/97 04:37PM) on a particular piece of media (i.e. WORLDNET disc). Also, as shown in Fig. 4C, in case Audio CD [27] is selected, a particular piece of content corresponds to a song (i.e. track 1) on a particular piece of media Audio CD [27].

Katz teaches "changing, based on the identification, meta data corresponding to the particular piece of content" at col. 7, lines 23-44. It should be noted that a user can change the track title... (col. 7, line 30) by manually enters his/her own desired track title name. And fig. 4C also discloses the Modified Information column that corresponds to a particular track.

Katz teaches "identifying one or more other pieces of content associated with the particular piece of content in Fig. 4C (i.e. piece of content corresponds to the list of songs), and at col. 8, lines 36-44. That is, "playlists composed of tracks (i.e. pieces of content) from multiple CDDA discs". These tracks associated with each other in the play list (i.e. the order of the song, which song plays first, which one is next...). Katz also teaches this limitation at col. 7, lines 23-44. Regarding Fig. 4C, track 02 to track 10 (one or more other pieces of content) are associated with a particular piece of content (i.e. track 1). Examiner interprets the term "associated" as "belonging to My-Favorite-Songs".

Furthermore, Katz teaches changing (modifying track title...), based on the identification (selected track), metadata corresponding to the one or more other pieces of content (track 01-10) in Fig. 4C. As shown in Fig. 4, the playlist 475 (col. 7, lines 62-67) includes the metadata Name, Size, Type... These metadata would be changed when the user change the song in the playlist (i.e. add, delete), a particular metadata corresponds to a piece of content (i.e. song). Moreover, on a selected track, a user can modify the track title, and/or define his/her own categories to classify disc in his/her own collection (col. 7, lines 34-36).

Thus, claim 9 and corresponding dependent claims 10-16 are not distinguishable over Katz.

(c) With regards to claims 17 and corresponding dependent claim 18, under similar rationale as provided in (a), the same reasoning would be applicable to claim 17.

(d) With regards to claim 19 and corresponding dependent claim 20, Katz teaches "accessing a local meta data store to identify meta data corresponding to the tracks and associated with another disc" at col. 8, lines 36-44, col. 8, line 66 to col. 9, line 9, Fig. 4C. Note that the local metadata corresponds to "Playlist DB 240 stores information associated with playlist (col. 8, lines 66-67). It should be noted the playlist is created by a user from CDDA disc or files stored on CDs, or a hard disk drive of computer 110. For example, a user could create a playlist wherein track 01 can be selected from a hard<sub>2</sub> disk drive, and track 02 can be selected from a CD (another disc)

(cbl. 7, lines 66-67). Furthermore, since the metadata of the playlist is stored in the database 240 (local metadata), as a user opens the playlist (accessing local metadata), track 01 and track 02 with their corresponding metadata will be displayed in block 475 (Fig. 4C). Katz teaches "generating a new storage structure, corresponding to the disc, and including the identified meta data" at col. 7, lines 63-67, col. 8, lines 1-31. This step corresponds to the step of creating a playlist and collections as shown in Fig. 4C and 4D. The new storage structure corresponds to the playlist database 240 to store user-defined playlists, and collections database 250 to store user-defined collections or bookmarks with graphic and text descriptor (col. 4, lines 51-54).

Therefore, the Katz system cannot be distinguished from the claim invention since Katz teaches all such elements as discussed above.

(e) With regards to claim 21 and corresponding dependent claims 22-26, Katz teaches "identifying, from a meta data store, meta data corresponding to the plurality of pieces of content and associated with the one or more other pieces of content" at col. 4, lines 51-53, that is, playlist database 240 to store user-defined playlists, and collections database 250 to store user-defined collections or bookmarks with graphic and text descriptor. As mentioned in (d), the playlist can be created by a user from different sources, or from plurality of CDs, and the playlists with their corresponding metadata are stored in Database 240. Also, a metadata (i.e. My-favorite-songs) corresponds to a plurality of pieces of content (i.e. tracks from the first CD as example), and associated with the one or more pieces of content (i.e. tracks from the second CD).

Accordingly, the claimed invention as represented in the claims does not represent a patentable over the art of record.

(f) With regards to claim 34 and corresponding dependent claims 35-37, Katz teaches another set of entries identifying relationships between selected ones of the objects identified in the set with selected others of the objects at col. 6, lines 41-59, Fig. 4C. As shown in Fig. 4C, the left portion of window 400 shows the hierarchical directory, "a set of entries identifying objects" corresponds to the set of: Floppy A, Quantum 1, 95d, CDJ. And, "another set of entries" corresponds to the set of: [25] AOL Install disc, [27] Audio CD, [28] VS\_ST\_FC1, [30] WORLDNET. Also, "an additional set of entries identifying metadata associated with individual objects" corresponds to the set of tracks with metadata such as: Size, Type. Note that the relationship between these set of entries is a hierarchical relationship.

Moreover, as mentioned in (d) and (e), a user can create his/her own playlist from a plurality of CDs and hard disk drive of computer 110 (col. 7, line 62 to col. 8, line 14).

Each track (i.e. object) has a particular path (i.e. entry), the playlist comprises a set of tracks corresponding to a set of entries (e.g. CD A) and another set of entries (e.g. CD B), hence, the relationship of these object (tracks) is understood as "in the playlist" or My-Favorite-Songs, as shown in Fig. 4C, block 475.

(g) With regards to claim 38 and corresponding dependent claims 39-45, as discussed in the preceding paragraph, since a user can select the same song S from a CD A and CD B (from a plurality of CDs) for creating his/her own playlist as My-Favorite-Songs (Fig. 4C, col. 7, line 62 to col. 8, line 14), it is thus obvious that song S (track) has more than one version of tracks corresponding to the CDs.

(h) With regards to claim 27, Katz teaches description relationships between disc identifiers, children objects corresponding to one of plural pieces of content at col. 5, lines 11-14, col. 10, lines 5-21, col. 6, lines 41-59. Katz teaches the disc identifier as an object which stored in CD directory database 255 (col. 5, lines 11-14, col. 10, lines 5-9, col. 6, lines 41-59, Fig. 4C). A set of children objects corresponds to Floppy A, Quantum 1, 95d, CDJ (Fig. 4C). One or more individual children objects associated with the track correspond to "track 01...track 10" (Fig. 4C). Thus, it is clearly shown by Katz the relationship between the CD identifier, the children objects and the tracks.

Although Katz does not expressly teach the additional objects, Bergman teaches this limitation at col. 8, lines 54-67, Fig. 8. It should be noted the additional child objects correspond to the metadata DS 809, that is, annotation metadata, and additional DS 809. These modalities preferably provide global description of the content including for example the author/publisher, date, location of event... Since both Katz and Bergman teach the same field as systems having storages for storing multimedia content associated with the description information, and method for maintaining information associated with CDs in the database, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Katz with the teachings of Bergman to include "an additional set of entries identifying meta data associated with individual objects" in order to provide a multimedia content description system for describing both streams and aggregations of multimedia objects.

Therefore, the claimed invention as represented in the claims does not represent a patentable over the art of record.